



"The City With a Heart"

Larry Franzella, Mayor
Ken Ibarra, Vice Mayor
Rico E. Medina, Councilmember
Irene O'Connell, Councilmember
Jim Ruane, Councilmember

CITY COUNCIL REGULAR MEETING MINUTES

November 28, 2006

7:00 p.m.

THIS IS TO CERTIFY THAT: The San Bruno City Council met in regular session on November 28, 2006 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:00 p.m.

A Reception was held in the lobby of the Senior Center at 6:45 p.m. to recognize members of the Caltrain Grade Separation Citizen Advisory Committee.

Mayor Franzella thanked **San Bruno Garden Club** for providing the beautiful floral arrangement.

1. ROLL CALL: Presiding was Mayor Franzella with Vice Mayor Ibarra and Councilmembers Ruane, Medina and O'Connell in attendance.

PLEDGE OF ALLEGIANCE: Led by Senior Planner Akin.

ANNOUNCEMENTS:

- a. The City of San Bruno's Annual Holiday Tree Lighting Ceremony will take place on Thursday, December 7, 2006 at 5:30 p.m. in front of the Recreation Center in San Bruno City Park.
- b. There is no City Council meeting on the fourth Tuesday in December. The Next Regular City Council Meeting will be held on December 12, 2006 Followed by the Meeting on January 9, 2007.
- c. The San Bruno Redevelopment Agency Meeting Follows Tonight's City Council Meeting.

PRESENTATIONS:

Present Certificates of Appreciation to Members of the Caltrain Grade Separation Citizens Advisory Committee and Receive Comments from Mike Scanlon, Caltrain General Manager, Regarding the Schedule for Completion of the Grade Separation Project.

Councilmembers Ibarra and Ruane handed out the certificates of appreciation to Tammy Del Bene, Teresa McIntosh, Alice Barnes, Doris Maez, Marina Kaiser, Theresa Cook, John Giuseponi, Joe Sammut, Wayne Parker, Harry Costa, Ron Cox, Skip Henderson, Rob Scarpino, Bob George and Emile Hons. The Councilmembers each made their comments regarding the members and their commitments to the committee.

Mike Scanlon, Caltrain reaffirmed their commitment to build the grade separation in five years. He said they needed to get their railroad in a state of good repair and when that was completed San Bruno would be at the front of the line for the first grade separation. He said there would be some significant improvements to the existing grade crossings.

2. REVIEW OF AGENDA: **Mayor Franzella** pulled Item 5b.

3. APPROVAL OF MINUTES: Regular City Council Meeting of November 14, 2006, approved as submitted.

4. CONSENT CALENDAR:

- a. **Approve:** Payroll of November 17, 2006.
- b. **Approve:** Accounts Payable of November 13, 2006.
- c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated September 30, 2006, as Submitted by City Treasurer John Marty.

M/S Ibarra/Ruane to approve the Consent Calendar, passed unanimously.

5. PUBLIC HEARINGS:

a. Hold a Public Hearing for SummerHill Homes' Appeal of a Planning Commission Decision and Adopt Resolution Adopting a Mitigated Negative Declaration (Environmental Review), Adopt Resolution Approving Vesting Tentative Map 06-02, and Adopt Resolution Approving Planned Unit Permit 06-01, per Chapter 12 of the San Bruno Municipal Code for the Development of 70 homes at 2396 Evergreen Drive. This Application is also being heard per the Request of the City Council in Accordance with Municipal Code Section 12.210.020.

Mayor Franzella reviewed the process of a Public Hearing. Staff will give their presentation, the appellant, then council questions will be addressed and then it will open to the public for comment. He acknowledged he met with the appellant twice, walked the property, met with the neighbors and had an open mind.

Councilmember O'Connell said she had also met with the appellant, seen their plans and said she was there to listen to what everyone had to say.

Councilmember Medina said he had met with the appellant twice, walked the property and spoke with some of the neighbors, viewed the neighboring streets for congestion and was prepared to listen to everyone.

Vice Mayor Ibarra met with the developer three times and read the entire staff report.

Councilmember Ruane met with the developer twice, asked specific questions and talked to a number of neighbors as well as reading all the correspondence. He said he had an open mind.

Community Development Director Heyden reviewed the staff report.

Senior Planner Akin gave a detailed and concise accounting of the staff report.

Mark Spencer, DKS Associates, gave a traffic study analysis of the new development as provided in the staff report.

Senior Planner Akin said staff in a subsequent traffic study on Fernwood found the numbers identical.

Fire Chief Voreyer addressed the public safety and access issues and pointed out there would be an emergency exit at Albright which would meet or exceed the requirements.

Elaine Breeze, Senior Vice President, SummerHill Homes gave an in depth overview of the planned development of the Carl Sandburg School site.

Councilmember Ruane asked Elaine Breeze about the drainage and what improvements would be done so South San Francisco doesn't get inundated with the runoff?

Roland Haga, BKF Engineers, said they have will detention system of storm drain pipes installed under the street which will maintain a 100-year flow, released over a time factor, yielding no net increase.

Councilmember Ruane asked if there were plans to resurface the streets after construction?

Elaine Breeze said the City has a formal survey process.

Senior Planner Akin concurred and said they bring it back to the level before construction.

Mayor Franzella asked who maintains the drainage system?

Roland Haga stated there were two systems involved, public storm drainage lines maintained by the City, the systems that detains and treats the water are being maintained by the homeowner's association.

Councilmember Medina asked about construction hours?

Elaine Breeze said they would be fine with the City's time frame. She said they would go on record of 8 to 5., pointing out for noise generating activities.

Vice Mayor Ibarra asked about the eucalyptus trees.

Senior Planner Akin said a plan has been submitted which has to be approved by our City's arborist.

Elaine Breeze said they have an arborist who will oversee the removal of limbs.

Vice Mayor Ibarra asked DKS about the creditability of their traffic numbers?

Mark Spencer said he has been doing these types of studies for over sixteen years and is a registered traffic engineer, who specializes in just traffic. He said he is sought out as someone with a high level of creditability.

Vice Mayor Ibarra asked how 600 trips a day would not have an adverse affect?

Mark Spencer said there is additional traffic over a normal day; in this case the numbers do not affect the operation of those facilities.

Mayor Franzella asked the City Attorney, what Elaine Breeze said: the City does not have the authority to deny a final map based on the condition that is out of the scope of the appellant's authority or the City of San Bruno.

City Attorney Thompson said that was an accurate representation.

Dave Butler, Evergreen Dr., in opposition, sited the impact on sewage overflows at the lower end, talked about wildlife, RV's on street corners, relocation of ballpark, construction noise and work hours.

Suzanne Craig, Albright Way, representing her street opposed opening the street to Albright Way.

David Mauro, San Diego Ave., supported the development because it would increase the value of homes.

Dave Wisnia, Valleywood Dr., while not opposed to the project, expressed his concerns about safety and asked for a stop sign at Evergreen and Valleywood.

Bob O'Dwyer, Valleywood Dr., talked about one 14-foot exit route in the development and asked if a fire truck can make a turn safely.

Barbara Asaro, Sherwood Dr., expressed her displeasure at the property being sold without resident's notice, one entrance, open space, traffic, animals, dog run.

Sarah Hillhouse, Evergreen Dr., asked about the sewer system and said 70 new homes and all their cars was not comparable to the previous child care center on the site.

David Hutt, Supt of San Bruno Park School District, said the Carl Sandburg site was declared as surplus and the intent to sell was to capitalize on the best use of the district's asset for students currently attending school and those who will attend in the future. He said development of this site would be an asset to the City.

Frank Deering, Sherwood Dr., talked about the size of the houses on Fernwood Dr. compared to those homes proposed for the new development and the one outlet.

Robert Craig, Albright Way, concerned regarding the through road at Albright Way and traffic and parking. He said half of the street should be dedicated to SSF. He questioned the boundaries.

Alan Jacobs, Evergreen Dr., asked in the traffic study, were weekends and nights included. He talked about density, one means of egress and exiting. He suggested 50 homes. He also questioned construction routes.

Maria Jacobs, Evergreen Dr., concerned about 70 homes in the area and parking and safety.

Jessica Martinucci, Acacia Ave., talked about the 2500 children who would benefit from this site and said the property is approved.

Leah Schultz, Fleetwood Dr., expressed her approval of the development and saw it is a positive.

William Nack, Building and Trades Construction Council of San Mateo County, on behalf of the Council and the many union workers supported the SummerHill Project.

Bob Smith, Valleywood Dr., rejected the housing development and the loss of a park and recreation area.

Irene Flick, Valleywood Dr., asked how they could have confidence in the traffic study and the drainage.

Gary Saunders, Rollins Rd., spoke in favor of the development on behalf of Steamfitters/Plumbers Union.

Elsa Tenbrook, Evergreen Dr., did not oppose the development but requested a second exit for safety.

John Morch, Oxford Ln., Local 12 Floor Layers, said he thought it was a good project.

Jeff Ratti, Maywood Dr., expressed his support for a second entrance/exit.

Stanley Roberts, Evergreen Dr. suggested half the property should be sold for a park.

Maggie Keily-Lieras, Sherwood Dr., was opposed to the development.

Russ Hanley, Elm Ave., on behalf of the School Board asked Council to support the project.

Gene Schabauer, Cottonwood Dr., asked if the developers were prepared to build ballpark facilities.

Deborah Kesecker, Evergreen Dr., expressed her concern over the parking, safety, one entrance/exit and sewer issues, which she felt had been addressed.

M/S Ruane/Ibarra to close the public hearing and passed with all ayes.

Mayor Franzella said there were several references to the City selling public property. He stated the City does not own, has never owned and is not selling this property. The San Bruno Park District owns this private property.

Mayor Franzella said there were a number of questions on the second entrance. There was a comment made there would be only fifty-two trips in the morning. He clarified this was fifty-two trips during the morning peak hour.

Mayor Franzella asked staff to address the sewer issue and also a further explanation of the hardscape drainage and drainage going off toward Valleywood.

Engineer Davis said approximately five years ago a plan was adopted to eliminate restrictions in the sewer system serving the upper areas of the City. In addition to addressing the known concerns with the bottlenecks in the system, work has been done to accommodate future developments. He said according to the maintenance records of overflows, there have been very infrequent and specifically identified overflows in the area, more attributable to a particular blockage. He said in his opinion, there is sufficient capacity.

Mayor Franzella asked Engineer Davis to share some of the improvements to the Rollingwood sewer lift project.

Engineer Davis said Council has recently approved construction contracts that include additional lines and they are increasing the size of some of the lines and constructing some diversions to flow the sewer down to the treatment plant.

Mayor Franzella talked about the loss of park space and what the developer is going to do/not do; this has been solved by the State of CA with the Quimby Act which lays out specific guidelines. There will be a tot lot developed on the parcel and the extra money will come to the City of San Bruno to be decided how to spend by the Council at a later date.

Mayor Franzella commented on alternate construction routes and excavation of the dirt.

Roland Haga said they are not proposing a mass grading of the site. The dirt will be moved from one part of the site to another part of the site. All the activity will be central to the site.

Senior Planner Aknin said the construction route will minimize the amount of turns and also will have control at intersections. Other routes can be looked into if Council so wishes.

Mayor Franzella said staff would work with the developer to come up with alternate routes.

Mayor Franzella asked about a comment we are receiving one-half of Albright Way, being donated to San Bruno.

Roland Haga said the property is made up of three main parcels, which the school district owns, one of the parcels, the fee title goes to the centerline of Albright Way, and it is encumbered by a 50-foot public-use easement.

Mayor Franzella said Albright Way, except for this piece, is in South San Francisco, and asked why not deed it to SSF instead of San Bruno? Why do we want it?

Roland Haga said he did not have documentation on the City line location.

Mayor Franzella said we had a great opportunity to clear this up now. It should all belong to SSF.

City Manager Jackson said the piece of street in question is within the corporate limits of San Bruno, encumbered by a public access easement in favor of the City of SSF. She said she would take direction on how Council would like to see that dedicated and it can be incorporated into a condition of the project.

Mayor Franzella said the dog run was eliminated but it was replaced at Commodore Park.

Mayor Franzella asked about fire truck turning on the radius. The street is 28 feet wide allowing a 14-foot lane of traffic on each side with no parking.

Fire Chief Voreyer said there was a template developed and they could make the turn fine. A fire truck could turn around at the entrance; however, the street is only 60 feet long. Every part of the project is acceptable regarding the turning radius.

Mayor Franzella inquired about the stop sign at Evergreen and Valleywood.

Senior Planner Akin said there is one additional stop sign proposed as Evergreen goes down to Valleywood; however, it is a one-way stop. There is slow stenciling proposed as you drive up Valleywood and approach Evergreen. There is another stop sign at proposed Pinecrest and the proximity of the two stop signs and the engineer felt it was in the best interest of the City to not have the two stop signs so close to each other.

Mayor Franzella said the comment came up about the RV's on the street, and the streets are City streets, and yes there could be RV's on the street, the voters of this City voted for them.

Mayor Franzella talked about the second exit and asked staff to respond.

Senior Planner Akin said they have determined one way in and one way out was adequate.

Elaine Breeze said SSF is not interested in opening up a street. She also stated they had looked at alternatives.

Mayor Franzella asked about the end stub on Sherwood of red zoning it.

Senior Planner Akin said improvements would be made to the stub.

Mayor Franzella asked about the time frame?

Elaine Breeze said 7 to 6 was an absolute.

Mayor Franzella said traffic improvements talked about would be in conjunction with City engineering. The consideration would be moving of fences on the San Bruno homes and releveling the yards.

Elaine Breeze said they have agreed to level the Jacobs' property if needed and the next five homes. Further downhill the property pulls away we haven't decided what to do, we will extend the same to them.

Mayor Franzella asked how long this would take?

Elaine Breeze said they have estimated twenty-four months.

Councilmember Medina said the comparison on Fernwood was not a fair comparison because those homes at 1500 square feet vs the proposed new development.

Senior Planner Akin said the square footage of the new development includes the garage, so the house itself is 2200. Originally Fernwood homes were 1500 square feet. Now with many improvements some of the homes exceed the homes in this new area. It averages out in the end.

Councilmember Ruane asked about Albright being used for EVA (Emergency Vehicle Access) from SSF and San Bruno would the residents of the new development be able to exit the second exit.

Fire Chief Voreyer concurred and said it would be most likely be from SSF but it could work both ways.

Councilmember Medina asked if the police would have the same access as the fire?

Fire Chief Voreyer said they could right or left to exit the project at Albright.

Councilmember Medina said there were more proactive approaches taken in this development vs. the Oakland Hills.

Fire Chief Voreyer said there were many differences between the Oakland Hills and this development and it was not a fair comparison.

Vice Mayor Ibarra said he was comfortable with the safety aspect. He talked about his satisfaction of the traffic parking and his personal studies of similar developments. He supported the development.

Councilmember Ruane was in agreement with Vice Mayor Ibarra and talked about the things which bothered him as well as the benefits. He said he does support the project.

Councilmember O'Connell reiterated what was said by Councilmember Ruane. She said the School Board noticed the sale and chose to sell the property. She thanked all the people who took an interest.

Councilmember Medina's major concern was the safety element, parking and the entrance. He commended Summerhill for going the extra mile. He said it was time to develop this parcel.

Mayor Franzella said having worked with Summerhill on Marisol, he was pleased with what they did and we were lucky to have a developer such as them. His one issue was the one entrance but it was addressed with two emergency vehicle accesses. He asked for action from the Council.

Councilmember O'Connell introduced the resolution adopting a mitigated negative declaration and passed with all ayes.

Vice Mayor Ibarra introduced the resolution approving vesting tentative map 06-02 and passed with all ayes.

Councilmember Ruane introduced the resolution approving planned unit Permit 06-01 incorporating the hours and passed with all ayes.

Mayor Franzella asked staff look into straightening out Albright. He said he felt they had come up with something best for the entire community. He called for a two-minute break.

b. Hold Public Hearing and Adopt Resolution Amending the Master Fee Schedule, Establishing Fees for a Variety of Municipal Services.

Mayor Franzella opened public hearing, no one had comments, and he closed the public hearing and continued the item to the December 9, 2006 meeting.

c. Hold Public Hearing and Adopt Resolution Ordering Amendment to the City of San Bruno Classification Plan by Adopting Position Description and Salary Range for Parks and Facilities Manager Position.

Human Services Director Yuki reviewed the staff report and asked for adoption of the resolution.

Mayor Franzella opened public hearing, he asked for a motion to close the public hearing.

M/S Ibarra/Medina to close the public hearing and passed with a unanimous vote.

Councilmember Ruane introduced the resolution for adoption and passed with all ayes.

6. UNFINISHED BUSINESS: None.

7. CALL FOR, PRESENTATION OF BIDS, AND AWARD OF CONTRACT: None.

8. COMMUNICATIONS: None.

9. STAFF REPORTS:

- a. Approve Implementation of Single Stream Recycling Program.

1. Adopt Resolution Amending the Franchise Agreement with San Bruno Garbage Company Related to Option to Extend Term for Additional Ten-Year Period.

2. Waive Second Reading and Adopt Ordinance Containing a Proposed 2.73% Rate Increase requested by San Bruno Garbage Company to be Effective on January 1, 2007.

Finance Director O’Leary reviewed San Bruno Garbage Company’s Single Stream Recycling proposal and discussed their request for an extension to their Franchise Agreement and their request for a rate increase of 2.73% effective January 1, 2007. He also pointed out the blue color of the totes is an accepted approach to recycling; however, the garbage company would go in whatever direction Council requested.

Councilmember Medina questioned the extension for an additional ten-year term and if the garbage company is exercising their right from 1996 to do so?

Finance Director O’Leary said it was from 1999, approved in 1998; there is a provision for three five years options that the company can request and they have requested two of the three.

Councilmember Ruane introduced the resolution to amend the franchise agreement and passed with all ayes.

Councilmember Ruane/Medina to waive the second reading and passed with a unanimous vote.

Councilmember Ruane introduced the ordinance for adoption and passed with all ayes.

- b. Adopt Resolution Authorizing the City Manager to Execute a Contract with Callendar Associates in an Amount not to Exceed \$25,000 for Site Analysis, Project Design, and Development of Construction and Bid Documents for the San Bruno Avenue Median Project, Medians 1-4.

Park and Recreation Services Director Mazzuca reviewed the staff report and asked for adoption of the resolution.

Vice Mayor Ibarra asked what Callendar is going to provide as far as an estimate?

Park and Recreation Services Director Mazzuca said they have agreed to using the same design concept for the first four medians, it is just used as a guideline and to give the City a ballpark estimate.

Councilmember Ruane introduced the resolution for adoption and passed with all ayes.

- c. Adopt Resolution Approving Revisions to the City’s Conflict of Interest Code Appendix.

City Attorney Thompson asked Council to look at page 258, designated employee list, which the City has determined those individuals should provide economic disclosure on an annual basis. She pointed out there was one modification to include the Division and Battalion Chiefs in the Fire Department.

Councilmember Medina noted the Field Supervisor was removed from Parks and Recreation but remains with Cable and Public Works?

City Attorney Thompson said those determinations were made by the department heads and based on their field authority.

Park and Recreation Services Director Mazzuca said their field supervisor had a different level of authority.

Councilmember Ruane introduced the resolution for adoption and passed with all ayes.

- d. Adopt Resolution Approving the Proposed FY 2006-11 Capital Improvement Program and FY 2006-07 Capital Improvement Program Budget.

Finance Director O’Leary reviewed the discussion from the Study Session as outlined in the staff report and asked for adoption of the resolution.

Councilmember O’Connell asked about incorporating and using the meeting rooms at the library for a multi-type purpose.

Finance Director O’Leary said that was going to be done in the design of the library.

Councilmember Medina asked for clarification on what 06-07 Capital Improvement; he asked if they were also being asked to approve the 2006-11 Capital Improvement Program?

Mayor Franzella and **Finance Director O’Leary** clarified they were being asked to approve but it was unfunded.

Vice Mayor Ibarra talked about the new swimming pool complex.

Mayor Franzella asked staff to come back with suggestions.

Councilmember Ruane introduced the resolution for adoption and passed with all ayes.

e. Adopt Resolution Confirming Existence of a Public Emergency and Ratifying the City Manager’s Immediate Expenditure of Public Money to Safeguard Life, Health, Property or Essential Public Services.

City Attorney Thompson said the City Manager declared an emergency on London Court and asked for Council’s approval and ratify her actions.

Chris Coles, Consultant Engineer showed a diagram of the site

Councilmember Ruane introduced the resolution and passed with all ayes.

10. REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None.

11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: None.

12. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES: None.

13. NEW BUSINESS: None.

14. ADJOURNMENT: The meeting was adjourned at 11:19. The next regular City Council meeting will be held on December 12, 2006, 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road.

Respectfully submitted for approval
at the regular City Council Meeting of
December 12, 2006

Carol Bonner, City Clerk

Larry Franzella, Mayor